GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD Department - Allegations of irregularities in execution of works under NREGS Scheme taken up in plain areas of Visakhapatnam District – Disciplinary proceedings against Sri M.Sudhakar, Assistant Engineer, K.Kotapadu under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of Charges – Orders - Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 681 **Dated: 11-07-2016**
Read the following:

1. DG, GA (V&E) Department, Vigilance Report No.32 (C.No.685/V&E/E2/2013), Dt.27.11.2014.

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ORDER:-

It is proposed to hold an inquiry against Sri M.Sudhakar, Assistant Engineer, K.Kotapadu, in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services(CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I and II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri M.Sudhakar, Assistant Engineer, K.Kotapadu, is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri M.Sudhakar, Assistant Engineer, K.Kotapadu, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri M.Sudhakar, Assistant Engineer, K.Kotapadu, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Attention of Sri M.Sudhakar, Assistant Engineer, K.Kotapadu, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed Sri M.Sudhakar, Assistant Engineer, K.Kotapadu, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(Contd……)

7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To
Sri M.Sudhakar, Assistant Engineer, K.Kotapadu, **through** Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Hyderabad.
The Engineer in Chief, Panchayat Raj, Andhra Pradesh, Hyderabad (with a request to serve the charges to the individual and furnish a served copy to Government)
SF/SC.

//FORWARDED::BY::ORDER//

SECTION OFFICER

Annexure – I

Statement showing the article of charges framed against Sri M.Sudhakar, Assistant Engineer, K.Kotapadu

Charge-1

That Sri M.Sudhakar, Assistant Engineer, K.Kotapadu has involved in allegations of irregularities in execution of the work "Providing CC roads & drains at Tatituru" by recording substandard quality of items without conducting any quality checks loss to the Government funds to a tune of Rs.7,00,508/-.

By his above mentioned act, Sri M.Sudhakar, Assistant Engineer, K.Kotapadu failed to discharge his duties, lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rules, 3(1) and 3(2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE-II

Statement of imputations of misconduct in support of Article of Charges framed against Sri M.Sudhakar, Assistant Engineer, K.Kotapadu.

The Vigilance & Enforcement Department vide their report No.32(C.No.685/V&E/E2/2013), dt.27-11-2014 has verified the works taken up under MGNREGS in plain areas of Visakhapatnam District from 26-11-2013 to 04-12-2013 and made the following observations for the following works:

Work No.1: Providing CC roads & drains at Tatituru

The work was technically sanctioned vide DR No.154/11-12, dt.31-01-2012 for Rs.25.00 lakhs of EE, PRI, Visakhapatnam under MGNREGS grant.

Findings of the V&E

i. Executed the CC pavement work without conducting Mix design for M-30 grade concrete resulted in poor quality of work.

ii. The strength of M15 grade concrete used for retaining and drain walls and M 30 grade for CC pavement is not satisfying the required strength criteria and hence liable for rejection. An amount of RS.4,95,499/- (Rs.419381+76118/-) and Rs.2,05,009/- is proposed as recovery towards substandard execution of work.

iii. The lesser utilization of cement in concrete works to an extent of 262 bags reflects the poor quality work executed by the field officers.

iv. A total amount of Rs.17.68 lakh was paid to the contractor Sri V.Ramesh Babu, Bheemunipatnam who executed the work. Though the purchase bills were shown in the name of Gram Panchayat, the payment was done by the contractor indicating that all the materials were purchased by Sri V.Ramesh Babu. As such issuing the bills in the name of Grampanchayat, Tatituru after making the payment by 3rd party is irregular.

v. The Executive Engineer, PRI, Visakhapatnam failed to check measure the work as per codal provisions and issued pass-order for release of payments without satisfying himself on either quality or mode of execution of the work.

Recovery proposed

Name & Designation	Name of the work	Item proposed for recovery	Recovery Amount (Rs.)
M.Sudhakar	Providing CC roads & Drains at Tatituru	Rejection of M15 grade concrete retaining wall	4,19,381
		Rejection of M15 grade concrete for drain	76,118
		Rejection of M30 grade concrete for CC pavement	2,05,009
		Total	**7,00,508**

The individual has deviated the office procedure for his personal gain and allowed the following in violation of APCS rules.

i. Recorded substandard quality of items without conducting any quality checks causing revenue loss of Rs.7,00,508/- to the Government exchequer.
ii. Forwarded fabricated muster & bills for payment
iii. Allowed contractors in execution of NREGS works

(Contd.....)

By his above mentioned act, Sri M.Sudhakar, Assistant Engineer, K.Kotapadu failed to discharge his duties, lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rules, 3(1) and 3(2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE – III

List of documents by which the articles of charges framed against Sri M.Sudhakar, Assistant Engineer, K.Kotapadu are proposed to be sustained.

1. Vigilance Report No.32 (C.No.685/V&E/E2/2013), dt.27-11-2014 of Vigilance & Enforcement Department.

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER

ANNEXURE – IV

List of witnesses by whom the articles of charges framed against Sri M.Sudhakar, Assistant Engineer, K.Kotapadu are proposed to be sustained.

-NIL-

Dr.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

//FORWARDED::BY::ORDER//

SECTION OFFICER